

## REMARKS

This paper is presented in response to the non-final official action mailed June 27, 2007, in which claims 1-9 were pending. Claims 1-9 are rejected under 35 U.S.C. § 112 as indefinite and under 35 U.S.C. § 102 as anticipated by WO 00/00300 to Didriksen (“Didriksen”). By this amendment, claims 1-3, 7, and 9 are amended. Support for the amendments to claims 1, 3, and 9 may be found in the specification and claims as originally filed. No new matter is added. As a result, claims 1-9 remain pending and at issue.

This paper is timely filed as this paper is accompanied by a petition for a one month extension of time and the required fee.

### 35 U.S.C. § 112 Rejections

Claims 1-9 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The applicants respectfully traverse the rejections and submit that they should be withdrawn.

The applicants respectfully submit that claims 1-9 were not indefinite under 35 U.S.C. §112 because a claim is considered definite as long as “the scope of the claims is clear so the public is informed of the boundaries of what constitutes infringement of the patent.” *See* M.P.E.P. §2173. Nevertheless, the rejections of claims 1-9 for indefiniteness should be withdrawn in view of the amendments to claims 1-9 presented herein.

### 35 U.S.C. § 102 Rejections

The applicants respectfully traverse the rejection of claims 1-9 as anticipated by Didriksen. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987). Each of claims 1-9 recites a method or device for processing mailpieces comprising, in part, “detecting information that is present on at least one surface of the mail pieces and applying a machine-readable identification code onto the mail pieces.” Didriksen fails to disclose or suggest first detecting information on a mail piece and then applying an identification code to the mail piece.

Didriksen discloses a method for processing postal items including delivering items to a processing station and capturing a first address signal from the items. The first address signal may be in the form of an optically readable identification code. However, the

identification code is provided “at [a] departure location.” *See* Didriksen, page 7, lines 16-17; page 18, lines 26-27; page 26, lines 15-18; page 32, lines 6-9; claim 11; and claim 54. In other words, the identification code is applied to the mail piece before the identification code is captured. To the contrary, the claimed method recites first detecting information and then applying an identification code to the mail piece. As a result, none of claims 1-9 can be anticipated by Didriksen. Applicants respectfully request withdrawal of the rejection of claims 1-9.

An advantage of applying the identification code after the address information is captured is that the system can generate its own unique code for each mail piece. The prior art devices relied on the sender to apply an identification code which was often simply an encoded version of the address. Thus, more than one mail piece could have the same identification code (as more than one mail piece may be sent to the same address). If more than one mail piece had the same identification code, then the system could not distinguish between the mail pieces.

Additionally, the prior art devices, such as the Didriksen device, utilize a delay segment that buffers the mail pieces being processed. As a result of differing processing times between individual mail pieces, the entire processing line may be slowed due to an extended processing time for a particular mail piece. The only alternative for prior art devices to reduce this potential delay is to remove mail pieces that need more processing time and sort those mail pieces separately, thus adding complexity and reducing efficiency.

On the other hand, the claimed invention, by generating and applying an identification code to the mail piece after detecting address information, is able to allow all mail pieces to continue along a sorting line while the address information for each individual mail piece is checked in the data base. Then, at a location further down the sorting line, the address of a mail piece may be corrected if needed and this will not delay the rest of the sorting line.

**Conclusion**

Applicants respectfully request entry of the foregoing amendments and reconsideration of the pending claims. Should the examiner wish to discuss the foregoing or any matter of form in an effort to advance this application toward allowance, he is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

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October 24, 2005

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